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THE MINORITY OF ONE

INDEPENDENT MONTHLY FOR AN AMERICAN ALTERNATIVE — DEDICATED TO THE ERADICATION OF ALL RESTRICTIONS ON THOUGHT

Bertrand Russell discusses the foreign policies of the Labor Government, and points out its many broken promises.

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The Grammar of Escalating War Objectives in Asia

Lyndon B. Johnson may never have to face an international tribunal for war criminals; if at all, international justice is meted out only to *defeated* war criminals. No objective observer of the war in Vietnam can doubt, however, that such a tribunal would have to find the President guilty. Like his Cold War predecessors, Lyndon B. Johnson completed the rituals of his presidential office-taking by immersing his conscience in a river of human blood.

This time, the blood happens to be especially innocent.

If Johnson did have to face an international tribunal, he could invoke fewer mitigating circumstances than even Hitler could have. The Nazis could at least rationalize that they were acting in behalf of a nation that had been severely deprived in Versailles. And also, that they were acting in behalf of allegedly persecuted German minorities in Austria, Czechoslovakia and Poland. But Johnson? What could he say? That he had to precede international negotiations by mass murder? That he had to let blood in order not to appear "soft"?

Even if it is correct that the unprovoked attacks on North Vietnam are a prelude to negotiations, Johnson's and America's guilt is unerasable. In the name of both truth and justice one will have to resist future attempts of the professional promoters of

Who Is Jack Ruby?

by Mark Lane

The few in our midst who have harbored doubts about the Warren Report have been treated to unusual abuse by the leading American liberals of our day. These liberals often proclaim their opposition to intellectual regimentation and centrally-stimulated mass thinking, but the Warren Report somehow makes them forget their principle. James Wechsler of the *New York Post*, for instance, doubts the loyalty, perhaps also the sanity, of anyone who questions any aspect of the Holy Writ. *The New York Times* agrees. Even *The Nation*, which ten years ago thought Earl Warren's appointment as the Chief Justice to be a national disgrace, a position as extreme as it was unsupportable, now condemns as a disgrace anyone who dares to question that very man's supreme wisdom. This inconsistency is explained, however, when we realize that in both cases those "disgracing the nation" disagreed with *The Nation*.

Farther to the left is I. F. Stone (of *I. F. Stone's Weekly* fame), who brands as "dishonorable, unscrupulous or sick" those who display the bad taste of not swallowing the entire fraudulent document in one gulp. Mr. Stone finally made it: his views are affirmatively presented in *Esquire* (March, 1965), not a mean achievement for a usually unmentionable fringe journalist.

But left, right or center, the enthusiasts of the Warren Report have two things in common, other than their virtually unanimous refusal to debate this writer publically, an offer to this effect having been made to many with the proviso that resulting admissions revenue be donated to the Kennedy Memorial Library. These enthusiasts show no evidence of having read the report, much less the 26 volumes of testimony and exhibits upon which it purports to be based. The other thing they share is the chorus-like harmony in raising the accusation that those who differ with the Report's conclusions make themselves guilty of the mortal sin of engaging in speculation, even in speculation about conspiracies.

The latter accusation being made by every critic of the Commission's critics sounds like a coordinated campaign—which I indeed allege to be the case. As for myself, I have never offered, in print or by word of mouth, in public or in private, any theory, conspiratorial or otherwise, which would purport to identify the actual killer or killers of Kennedy. Having carefully studied all the 26 volumes of testimony and exhibits, I merely assert that the evidence shows that there is no case whatsoever against Lee Harvey Oswald. This conclusion is so unbalancing to some people that they reject it by calling the one who holds it a "conspiracy speculator," even where the term does not apply at all.

These critics' cries somehow manage to use their argument against speculation as if speculation were a bastardly intellectual pursuit. They turn the word into an epithet, despite the fact that on other issues none of them ever thought it wrong to speculate. Where would we indeed be as a society were it not for all the speculation engaged in over the centuries by philosophers and scientists and scholars and statesmen and jurists and all who have ever contributed to knowledge and understanding? Or is speculation wrong only when it confirms the doubts about a currently planted myth, such as that of the Warren Commission's Report?

There are those who explain the assassination of John F. Kennedy by conspiratorial theories. Then there are those who believe to prove the conspiratorial theories wrong merely by pointing to the fact that they deal in conspiracy. As if no conspiracy had ever taken place in history. As for myself, I subscribe to neither of these two points of view, simply because, not knowing who killed Kennedy, I cannot categorize the answer to this question. But I insist on remaining open to either consideration. Fallacious as is the view of history as nothing but a chain of conspiracies, it is equally fallacious to view history as a never deviating sequence of accidents. It might be closer to the truth to view history as neither, but also as allowing for both accident and conspiracy.

Some CIA Speculation

While, as already suggested, I did not need to defend one's right to speculate for personal reasons, for I have chosen for myself another role in pursuing the truth about the Kennedy assassination, paradoxically such defense seems to be needed by the Central Intelligence Agency itself. Had the critics bothered to read the evidence, they

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Mark Lane, an attorney and former New York State Assemblyman, has attracted worldwide attention to his arguments in behalf of Lee Harvey Oswald's innocence in the assassination of President Kennedy. His "The Warren Report: A First Glance" appeared in the November, 1964 TMO. The present article is based on a chapter in Mr. Lane's forthcoming book, "Rush to Judgment."

* All the volume references in this article pertain to the 26 volumes of testimony and exhibits of the Warren Commission.

would have been aware that among the Commission's exhibits is published a lengthy piece of pure speculation by none other than the Central Intelligence Agency. Although the Commission ignored this document, devoting to it not a single word in its 888-page Report, it is now in public domain just the same.

The CIA, having conducted an extensive investigation into the background, activities and associations of Jack Ruby, clearly if speculatively, concluded that he may have been involved in the assassination of President Kennedy. Specifically, in a memorandum dated February 24, 1964, signed by Deputy Director for Plans Richard Helms and submitted to the Warren Commission, the CIA suggested that the Commission consider "ties between Ruby and others who might have been interested in the assassination of President Kennedy." (Vol. XXVI, Page 470.*) The CIA concluded that "It is possible that Ruby could have been utilized by a politically motivated group either upon the promise of money or because of the influential character of the individual approaching Ruby." (*Ibid.*) Also mentioned as "others who might be interested in the assassination of President Kennedy" are "the Las Vegas gambling community" and "the Dallas Police Department." (*Op. Cit.*, Pp. 470-471.) According to the CIA, among "the most promising sources of contact between Ruby and politically motivated groups interested in securing the assassination of President Kennedy" were a Dallas oil millionaire and an official of the John Birch Society. (*Op. Cit.*, Pp. 471-473.)

Lest the Freudian escape mechanism restore the critics' critics' equilibrium, we had better once more reiterate that these speculative allegations were made neither by this writer nor by maladjusted "left-wing extremists," nor by beatniks, dope addicts and other unworthy characters; these are quotes from a CIA communication to the Warren Commission, a document that is included in the Commission's evidence.

Two Visits: Las Vegas and Havana

While testifying before the Warren Commission, on June 7, 1964, Jack Ruby stated, among other things, that it was probably too late to give the Commission information after its prolonged delays in permitting him to testify. He said that only six months earlier, or even more recently, things might have been different. (Vol. V, P. 195.)

Approximately six months before Ruby testified before the Commission, he did communicate information to federal agents. On December 21, 1963, he told FBI men that he had once placed a telephone call to an individual in the vicinity of Houston, Texas, of whom he had heard as being engaged in "gun running to Castro." (Vol. XXIII, P. 157.) Ruby told the agents that "he had in mind making a buck" by selling "jeeps or other similar equipment" to Cuba. (*Ibid.*)

Commission Exhibits 1688 and 1689 reveal that a certain Robert R. McKeown had been arrested on February 25, 1958, and that on October 24, 1958, he was sentenced in the U.S. District Court at Houston, Texas, to sixty days in jail and a $500 fine on a charge of conspiring to smuggle guns to Cuba; on a second count, he was given a two-year suspended sentence. (*Op. Cit.*, Pp. 157, 159.)

The *Houston Chronicle* of April 28, 1959 reported that Fidel Castro had briefly visited Houston and it published a photograph of Castro with Robert R. McKeown. The *Chronicle* quoted Dr. Castro as saying that if McKeown went to Cuba, he would be given a post in the Cuban Government or perhaps some franchises. (*Op. Cit.*, P. 158.)

On January 24, 1964, FBI agents interviewed McKeown. He confirmed to them that he had been sentenced to jail for conspiring to run guns to Cuba, and that he knew Fidel Castro personally. He said that his photograph with Castro and considerable comment regarding his activities had been widely published.

The FBI report on the McKeown interview contained these disclosures:

"Fidel Castro took over the leadership of Cuba on about January 1, 1959, following the revolution which he had led. About one week after that, while he was on duty at the J and M Drive-In, Harris County, Texas, Deputy Sheriff Anthony 'Boots' Ayo appeared and said that some person had been frantically calling the Harris County Sheriff's Office in an effort to locate McKeown. The name of the caller was not known to Ayo, but he was calling from Dallas, Texas, and on the last call had said it was a life and death matter. McKeown advised Ayo to provide the caller with the telephone number of the J and M Drive-In. In about one hour's time (8:00 p.m. or 8:30 p.m.), a person called McKeown on the telephone and said his name was 'Rubenstein.' The caller said he was calling from Dallas, Texas, and indicated he was aware that KcKeown had influence in Cuba and particularly with Castro. The caller stated he wanted to get three individuals out of Cuba who were being held by Castro. He stated that if McKeown could achieve their release he would be paid $5,000 for each person. The caller added that a person in Las Vegas, Nevada, would put up the money." (*Op. Cit.*, P. 159.)

The Report further reveals that "Mr. Rubenstein" said he "would clear" the financial arrangements with the Las Vegas contact "and would recontact McKeown." (*Ibid.*)

Rubenstein never called back, but a man appeared at McKeown's establishment less than a month later:

"About three weeks following this telephone call, a man personally appeared at the J and M Drive-In and spoke with McKeown. This person did not identify himself to McKeown, nor did McKeown ask his name. The man said he had a proposition whereby McKeown could make $25,000. When he indicated genuine interest in the man's proposition, they went to the rear of the drive-in where patrons sit to drink beer and where they could talk more privately." (*Ibid.*)

The still unidentified man entered into an agreement to pay McKeown $25,000 for a letter of introduction to Fidel Castro.

"He wanted McKeown to provide him with a letter of introduction to Castro, which letter would clearly indicate that the bearer was responsible and reliable. McKeown said he would gladly provide such a letter of introduction for a fee of $25,000, but before he undertook to do anything he would have to have in hand at least $5,000 in cash." (*Op. Cit.*, P. 160.)

McKeown described his anonymous visitor to the FBI agents. The description fit Jack Ruby (once known as Jack Rubenstein), perfectly. (*Ibid.*) (McKeown has, of course, seen photographs of Jack Ruby published in the newspapers since November 24, 1963.)

McKeown stated that he strongly believed that his visitor was Jack Ruby:

"McKeown advised that he feels strongly that the individual was in fact Jack Ruby, the man whose photograph he has seen many times recently in the press." (*Ibid.*)

Since McKeown said that the Dallas telephone call was brought to his attention through the office of the Harris County Sheriff, this contention was subject to verification. On January 27, 1964, FBI agents contacted A. J. Ayo, formerly an officer in the Harris County Sheriff's office. The FBI report states:

"Ayo was formerly employed as a patrolman by the Harris County Sheriff's Office. Ayo recalled on one occasion his office contacted him (Ayo) by radio and wanted to know how to contact McKeown. Ayo told his office he would personally check and advise. The Harris County Sheriff's Office told Ayo by radio at the time that some person from Dallas, Texas, was exceedingly intent on trying to contact McKeon by telephone. Ayo was not furnisbed the name of the individual calling, nor the nature of the caller's business. Ayo proceeded to the J and M Drive-In, told McKeown about the telephone call and McKeown furnished Ayo the telephone number of the J and M Drive-In which Ayo relayed by radio to the Harris County Sheriff's Office. This incident took place not too long after McKeown had opened the J and M Drive-In because a telephone had not been installed for a very long time." (*Op. Cit.*, P. 161.)

Ayo also told the FBI representatives that

"he had always found McKeown reliable." (*Ibid.*)

Thus Texas was the site of a little summit conference long before its faithful son, Lyndon B. Johnson, became President. The only man in effect representing Fidel Castro, even if without formal credentials, was called by, and then met with, a representative of the anti-Castro forces to discuss the release of three Cuban prisoners.

Who authorized Ruby to enter into such negotiations? Was he then, in January of 1959, acting for a principal? And if so, who was the principal?

These questions have never been asked of Ruby by the Commission. Had answers to them been secured, they might conceivably have a bearing and provide an answer to the most important question as well: Was Ruby acting for a principal on November 24, 1963, when he murdered Lee Harvey Oswald? And if so, who was the principal?

Of all those anxious to learn the facts only the Commission had access to Jack Ruby. Although Ruby indicated eagerness to tell all he knew if permitted to do so at a locus other than the Dallas jail, the Commission did not arrange for interviewing Ruby at a more desirable location.

Two Gamblers and One Murderer

Because the Commission and its counsel, due to incompetence or much worse, have failed to elicit most pertinent information, all we can do is to assemble whatever credible and relevant facts are available.

Ruby told the Commission that he was in Cuba in 1959.

He had been invited to Havana by Lewis J. McWillie. In fact, McWillie paid Ruby's plane fare to Havana and spent with him much time every day during that visit. (*Op. Cit.*, P. 170.)

McWillie's Havana occupation?—Big time gambler. (*Ibid.*)

On April 2, 1959, the Dallas Police Department received a letter from the Oklahoma City Police Department informing that a Dallas gambler had been arrested in Oklahoma City and in his possession "were a large number of telephone numbers of Dallas and Fort Worth contacts." (*Op. Cit.*, P. 166.) The list contained the names of both Lewis J. McWillie and Jack Ruby. (*Op. Cit.*, Pp. 166-167.)

The Oklahoma City police asked the Dallas police to identify the contacts. In response, the Dallas police at that time identified Lewis McWillie as a "gambler and murderer." (*Op. Cit.*, P. 166.) After listing Jack Ruby's name, the Dallas police said: "All or most of the above persons are known gamblers or connected with gambling activities." (*Op. Cit.*, P. 167.)

The Dallas Police Department can hardly be considered a reliable source of information on anything. But the allegation that McWillie was a gambler is supported by the record. The charge that he was a murderer and that Ruby was known to the police to be associated with gambling activities certainly warranted further investigation. The Commission, however, did not investigate it.

McWillie was hostile toward the Government of Fidel Castro. It is not clear whether

Ruby and two of his nightclub employees.

this hostility stemmed from political conviction or the fact that the Cuban Government had seized his plush Tropicana Club, inviting him and other American gamblers who had worked so closely with Batista to leave. In fact, McWillie himself said that "he personally left Havana to avoid arrest." (*Op. Cit.*, P. 171.)

McWillie also told FBI agents that Ruby, whom he saw "practically every day" (*Op. Cit.*, P. 126) was known to him "to be well acquainted with virtually every officer of the Dallas police force." (*Op. Cit.*, P. 171.)

McWillie further said that former Congressman Bruce Alger was known to him, and that Alger's wife was "a patron of Ruby's nightclub." (*Ibid.*) Bruce Alger led the 1960 Dallas demonstration against Mr. and Mrs. Lyndon Johnson that involved violence and threats of further violence. The demonstrators, claiming that both John F. Kennedy and Lyndon B. Johnson were extremists on the left, spit at the latter and his wife.

McWillie went to Las Vegas and upon arrival called Ruby with a request: he wanted Ruby to furnish him with a pistol. Ruby obliged. (*Op. Cit.*, P. 172.)

The License "Commissioner" of Dallas

This does not end Ruby's record as reflected in the Warren Commission's testimony and exhibits.

The United States Commission on Narcotics was advised in 1947 by the United States Customs that three persons were "involved in the act of smuggling opium" from Mexico to the United States. (*Op. Cit.*, P. 206.) One of the three defendants met, in 1947, with Jack Ruby in Ruby's hotel room in Chicago. (*Ibid.*) Another of the three defendants stated that Ruby was invited to participate in the narcotics activity. He said that Ruby declined. (*Ibid.*)

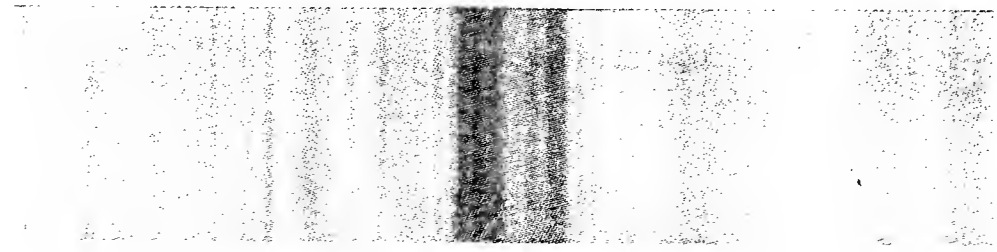
That Ruby did not always remain aloof from involvement in narcotics smuggling was suggested by another individual. According to information in the files of federal police agencies, an informant for the Federal Narcotics Bureau began a Dallas narcotics operation in 1956. This named informant had secured "permission" from Jack Ruby. "In some fashion James [the informant] got the okay to operate [a narcotics ring] through Jack Ruby of Dallas." (*Op. Cit.*, P. 569.)

Ruby and the man operating the narcotics racket together viewed films showing American and Mexican border guards engaged in activities against smuggling operations, a third film viewer told FBI agents. (*Op. Cit.*, P. 370.)

One, Jack Hardee, Jr., told FBI agents that when he sought to "set up a numbers game" in Dallas, he was advised that "in order to operate in Dallas it was necessary to have the clearance of Jack Ruby." (*Op. Cit.*, P. 372.) Hardee further said that he had been informed that "Ruby had the 'fix' with county authorities, and that any other fix would have to be through Ruby." (*Ibid.*) Hardee met Ruby, he said, did not like him, and decided, for that and other reasons, not to establish a numbers operation in Dallas. (*Ibid.*)

Did Ruby actually maintain this kind of a corrupt business relationship with the Dallas police and county officials?

There is more than the testimony by Hardee to suggest that he did. In addition



to general talk about town (testified to by one of Ruby's former waiters—"Ruby was paying off the Dallas Police Department for special favors" *Op. Cit.* P. 129), there was more specific information presented to the FBI.

A New York artist and teacher had also been employed as waiter at a club owned by Ruby. (*Op. Cit.* P. 127.) The maitre d' who hired him told him that he would not receive a salary but would be paid 15 per cent of the checks collected at the tables he served. Since certain persons "would not be required to pay for their meals or drinks," the maitre d' showed him a list of approximately "30 or more names" of these special guests. Another waiter told him that the list included the names of the "Dallas District Attorney" and of "city officials." (*Op. Cit.*, P. 128.)

Other background data on Ruby submitted by the CIA to the Warren Commission included references to the effect:

—that Ruby "is known to have brutally beaten at least 25 different persons." (Vol. XXVI, P. 468.) (Ruby has never been convicted on assault charges; and was only once prosecuted in Dallas — and acquitted.);

—that Ruby had friendships in Dallas "with police officers and other public officials" (*Op. Cit.*, P. 469.);

—that Ruby has been alleged to be "the tip-off man between the Dallas police and the Dallas underworld" (*Ibid.*);

—that there is "a strong indication that Ruby himself was involved in illicit operations" (*Ibid.*);

—that Ruby "did not hesitate to call on underworld characters for assistance" (*Ibid.*);

—that Ruby was interested in "selling war materials to Cubans" (*Op. Cit.*, P. 470.);

—that Ruby was "rumored to have met in Dallas with an American Army Colonel and some Cubans regarding the sale of arms" (*Ibid.*);

—that a CIA or other governmental informant "connected with the sale of arms to anti-Castro Cubans" has "reported that such Cubans were behind the Kennedy assassination" (*Ibid.*);

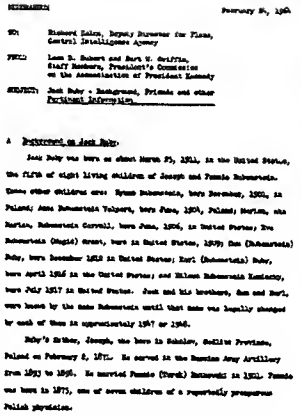
—that Ruby's "primary technique in avoiding prosecution was the maintenance of friendship with police officers, public officials, and other influential persons in the Dallas community." (*Ibid.*)

* * *

It is difficult to draw soundly and factually based conclusions from all these assorted bits of evidence, collected by the FBI and other federal agencies. But certainly Ruby's close relationship over the years with a gambler first from Dallas and later from Havana is of interest. So is his visit to Havana as the guest of that gambler, a visit that occurred a short time after Ruby sought to purchase a letter of introduction to Fidel Castro for the not measly sum of $25,000. Clearly, Ruby acted in Havana for someone.

Whose agent was Ruby while in Havana?

Although the Warren Commission made



MEMORANDUM February 24, 1964

TO: Richard Helms, Deputy Director for Plans, Central Intelligence Agency

FROM: Leon D. Hubert and Burt W. Griffin, Staff Members, President's Commission on the Assassination of President Kennedy

SUBJECT: Jack Ruby - Background, Friends and other Personal Information.

A Background on Jack Ruby.

Jack Ruby was born on about March 25, 1911, in the United States, the fifth of eight living children of Joseph and Fannie Rubenstein. Three other children were: Hyman Rubenstein, born December, 1900, in Poland; Anna Rubenstein Volpert, born June, 1903, Poland; Marian, who Marian, Rubenstein Carroll, born June, 1906, in United States; Eva Rubenstein (Magid) Grant, born in United States, 1909; Sam (Rubenstein) Ruby, born December 1910 in United States; Earl (Rubenstein) Ruby, born April 1916 in the United States; and Wilma Rubenstein Kominsky, born July 1917 in United States. Jack and his brothers, Sam and Earl, were known by the name Rubenstein until that name was legally changed by each of them at approximately 1947 or 1948.

Ruby's father, Joseph, was born in Sokolow, Siedlce Province, Poland on February 6, 1871. He served in the Russian Army Artillery from 1893 to 1896. He married Fannie (Turek) Rutkowski in 1910. Fannie was born in 1873, one of seven children of a reportedly prosperous Polish physician.

Upper: Ruby in front of his Dallas nightclub. Lower: Commission Exhibit No. 2980—CIA report on Jack Ruby.

no real effort to secure testimony regarding Ruby's background, the record nonetheless discloses his underworld ties and police connections. FBI and Secret Service agents made a number of independent reports based on leads which came to their attention, often in a haphazard manner.

The interviews, conducted in that fashion and never evaluated by the Commission, when related to each other present an undeniable record of Ruby's long and close illicit association with the Dallas police. Evidence is also available that Ruby was an important Dallas contact or representative of organized crime; as is evidence that he operated as a representative of people interested in assaults upon and ransom deals with Cuba.

These facts may be unrelated to Ruby's actions on November 24, 1963. But we cannot know this one way or the other, without investigating each and every one of these facts.

One question which remains unanswered by the Commission and which has not even been asked of Ruby is: Who among Ruby's "clients" might have wanted Lee Harvey Oswald dead, and why?

Jack Ruby knows many answers.

It has been suggested that the United States Government find a way to compel Ruby to talk; it might be more precisely relevant to suggest that public opinion compel the Government to *permit* Ruby to talk.

If Jack Ruby should die in a Dallas jail or elsewhere without having answered the key questions, he will have cheated history. But, should he be permitted to die without having been *asked* the key questions, then history will have been cheated by the United States Government.

Even if we did not have the wealth of information about Jack Ruby that we do have despite lacking efforts on the part of the Warren Commission, it would be incumbent upon those responsible for investigating the assassination to leave no stone unturned and to follow up every clue. With available data suggesting the possibility of yet unexplored links, only indifference or corruption can explain the motivation of those who engage in campaigns to stigmatize any phase or direction of inquiry and search.

It is not empty speculation to demand that an investigation be broad and factual enough to embrace all areas that the evidence might suggest, and to insist that none be precluded by prejudice or defaulted by incompetence. It is those who would block a full inquiry who expose themselves to the very real danger of dissociating themselves from reality.

For how is one to know when one refuses to know?

TRANSLATING THE X-RAYS FROM SCORPIUS

(". . . The detector recorded an outstanding X-ray source in the constellation of Scorpius.—Scientific American)

We are the should-be's of collapsed
supernovae
doomed to winter it among galactic halos
in the cool universe of undisturbed suns.
There is no pain
only
a swift wind of hydrogen
sweeps us
through centuries of magnetic storms
to an immolation we do not know.
We are the diffuse gas of electronic
degeneracy
cast in cosmic particles in the flesh
and in the low density of your make
believe
we kiss your mirror image
goodbye, so long, it's been good to
know you
in the full spectrum of celestial radiation.

—Walter Lowenfels